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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

JULIAN ARCHULETA, an individual; and )	<b>CASE NO. C04-5318 PJH</b>
DISABILITY RIGHTS ENFORCEMENT, )	
EDUCATION, SERVICES:HELPING )	<b>STIPULATION OF DISMISSAL AND</b>
YOU HELP OTHERS, a California public )	<b>[PROPOSED] ORDER THEREON</b>
benefit corporation, )	
)	
Plaintiffs, )	
)	
v. )	
)	
JACK'S CLUB; DOLORES L. )	
PERRAPATO, an individual dba JACK'S )	
CLUB; and IRMA ENCINAS, an )	
individual dba JACK'S CLUB, )	
)	
Defendants. )	
)	

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain

jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to Federal Rules of Civil Procedure section 41(a)(1).

This stipulation may be executed in counterparts, all of which together shall constitute one original document.

Dated: November 11, 2005

THOMAS E. FRANKOVICH  
A PROFESSIONAL LAW CORPORATION

By: /s/ Jennifer L. Steneberg  
Jennifer L. Steneberg  
Attorneys for Plaintiffs JULIAN ARCHULETA  
and DISABILITY RIGHTS, ENFORCEMENT,  
EDUCATION SERVICES

Dated: November 3, 2005

LIPTON & PIPER LLP

By: /s/ Arthur C. Lipton  
Arthur C. Lipton  
Attorneys for Defendant IRMA ENCINAS

**ORDER**

IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the purpose of enforcing the parties' Settlement Agreement and General Release should such enforcement be necessary.

Dated: December 6, 2005



Hon. Phyllis J. Hamilton  
UNITED STATE DISTRICT JUDGE